

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

TREVOR FITZGIBBON

Plaintiff,

v.

Case No. 3:19-CV-477

JESSELYN A. RADACK

Defendant.

ORDER SETTING PRETRIAL CONFERENCE

Pursuant to Fed. R. Civ. P. 16(a) and 16(b) and Local Rule 16(B), a pretrial conference is scheduled in this action for November 20, 2019 at 11:00 a.m. in the Chambers of Judge Payne, Seventh Floor, United States Federal Courthouse, 701 E. Broad Street, Richmond, Virginia. It is anticipated that the conference will last approximately fifteen minutes.

Pursuant to Fed. R. Civ. P. 26(f) and Local Rule 26A(1), counsel: (1) shall confer not later than ten (10) days before the pretrial conference for the purposes required by Fed. R. Civ. P. 26(f); and (2) shall report orally at the pretrial conference on the discovery plan required by 26(f).

The Court will set a trial date which will be within sixty to ninety days after the pretrial conference except for complex

litigation or in other unusual circumstances. Unless agreed otherwise by all counsel and approved by the Court before the pretrial conference, counsel who will actually try the case shall attend the pretrial conference. In any event, counsel attending the pretrial conference shall be knowledgeable of the facts and legal issues in the action and shall be prepared to set a firm trial date.

As permitted by Fed. R. Civ. P. 26(d)(1), it is ORDERED that the parties shall forthwith serve interrogatories and requests for production of documents before conducting the scheduling conference required by Fed. R. Civ. P. (f)(1) so that, at the scheduling conference, the parties can discuss their needs for discovery with those specific requests in mind. Responses to the discovery requests need not be served until after they have been discussed at the scheduling conference required by Fed. R. Civ. P. 26(f)(1). Objections to these discovery requests shall be made when, and as provided in, Local Civil Rule 26(C) and subject to all requirements of that rule. Responses to the discovery requests shall be served when and as required by Fed. R. Civ. P. 33 and 34, respectively, using the date of the scheduling conference as the commencement date for calculating the due date for the responses, unless the parties agree at the scheduling conference to a different date and reflect their agreement in a Consent Order to

be presented to the Court for approval within seven (7) calendar days after the scheduling conference.

Issued at the direction of the Court.

By: _____/s/
Nikki Brown
Deputy Clerk

Richmond, Virginia
Date: November 1, 2019

IF THIS CASE IS SETTLED PRIOR TO THE CONFERENCE,
PLEASE CALL CHAMBERS AT 916-2260. THANK YOU.